
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

WATERTON POLYMER PRODUCTS
USA, LLC; WATERTON POLYMER
PRODUCTS, LTD.,

Plaintiffs,

v.

EDIZONE, LLC,

Defendant.

MEMORANDUM DECISION AND
ORDER DENYING PLAINTIFFS'
MOTION TO STRIKE EXHIBITS

Case No. 2:12-CV-17 TS

District Judge Ted Stewart

This matter is before the Court on Plaintiffs' Motion to Strike Exhibits. Plaintiffs seek to strike certain exhibits that Defendant has disclosed because Defendant has failed to narrow and separately number its proposed trial exhibits. Plaintiffs argue that Defendant's failure is impeding their ability to object to these exhibits and prepare for trial. In total, Plaintiffs seek to strike over 2,000 pages of exhibits.

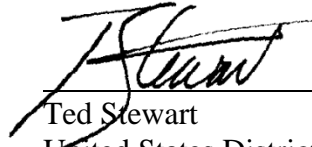
Plaintiffs provide no basis for the Court to strike these documents. It is undisputed that Defendant disclosed these documents and they are listed in the Pretrial Order. While the Court is sympathetic to Plaintiffs' predicament, the Court cannot conclude that the extreme sanction of striking these exhibits and disallowing their use at trial is appropriate. Further, Defendant has now provided Plaintiffs and the Court with a detailed exhibit list, clearly identifying the exhibits it intends to use at trial. Therefore, the Court will deny Plaintiffs' Motion.

It is therefore

ORDERED that Plaintiffs' Motion to Strike Exhibits (Docket No. 142) is DENIED.

DATED this 17th day of November, 2014.

BY THE COURT:



Ted Stewart
United States District Judge